

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, DANIEL J. RILEY, being first duly sworn, according to law, state and depose as follows:

INTRODUCTION

1. I am currently employed as a Deputy United States Marshal for the Northern District of Ohio, Cleveland, for approximately 5 years, and am trained in the investigation and apprehension of fugitives. I completed the Criminal Investigator's training course and the U.S. Marshal's Basic Deputy Course at the Federal Law Enforcement Training Center in Glynco, Georgia.
2. In my capacity as a Deputy United States Marshal, I have investigated crimes related to Escape from the Custody of the Attorney General, in violation of Title 18, United States Code, Sections 751(a) and 4082(a), and Assault on a Federal Officer, in violation of Title 18, United States Code, Sections 111(a) and (b).
3. I am investigating Daniel Miller, who resides in Cleveland, Ohio. As it will be shown below there is probable cause to believe that MILLER did escape from the custody of the Attorney General in violation of Title 18, Section 751, United States Code.
4. The statements in this affidavit are based in part on affiant's personal observations and statements made by other local and federal law enforcement officers. Since this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that MILLER did escape from custody, violating Title 18, Section 751 of the United States Code.

STATUTORY AUTHORITY

5. This investigation concerns alleged violations of Title 18, United States Code, Section 751, "Whoever escapes or attempts to escape from the custody of the Attorney General or his authorized representative, or from any institution or facility in which he is confined by direction of the Attorney General, or from any custody under or by virtue of any process issued under the laws of the United States by any court, judge, or magistrate judge, or from the custody of an officer or employee of the United States pursuant to lawful arrest, shall, if the custody or confinement is by virtue of an arrest on a charge of felony, or conviction of any offense, be fined under this title or imprisoned not more than five years, or both; or if the custody or confinement is for extradition, or for exclusion or expulsion proceedings under the immigration laws, or by virtue of an arrest or charge of

or for a misdemeanor, and prior to conviction, be fined under this title or imprisoned not more than one year, or both.”

FACTS AND CIRCUMSTANCES REGARDING PROBABLE CAUSE

6. On, January 11th, 2012, MILLER was indicted in USA v. Daniel MILLER, Case No 1:12-CR022, in the United States District Court for the Northern District of Ohio, for one count of bank robbery in violation of Title 18, United States Code, Section 2113 (a). MILLER plead guilty to the indictment. On July 20th, 2012, Judge Benita Pearson sentenced MILLER to serve a 151-month prison sentence in custody with the Bureau of Prisons (BOP). He was also sentenced a 2-year term of supervised release.
7. On March 28th, 2023, MILLER was moved from the Federal Correctional Institute (FCI) Pekin to the Oriana Halfway House, still under BOP inmate status to finish his sentence stemming from Case no 1:12-CR022. Oriana Halfway House is located at 1829 East 55th St. Cleveland, Ohio, which is in the Northern District of Ohio.
8. On May 26th, 2023, at approximately 9:00 pm, MILLER failed to return to Oriana House from a 12-step program. The Cincinnati RRM was notified at 9:32 pm MILLER was placed on escape status and the USMS were notified at 10:01 pm. To date, MILLER has not returned to the Oriana House.

CONCLUSION

9. Based on the aforementioned factual information, Affiant respectfully submits that there is probable cause to believe that MILLER escaped from the custody of the Attorney General, May 26th, 2023, in Cleveland, Ohio, and thereby violated Title 18, Section 751, United States Code.
10. Your Affiant, therefore, respectfully requests that the attached complaint be issued.

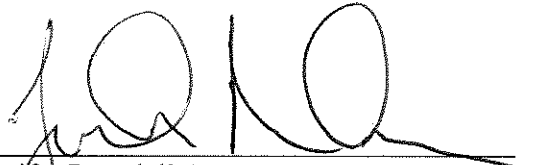
Daniel J. Riley

Daniel J. Riley
Deputy U.S. Marshal
United States Marshal Service
Cleveland, Ohio

Sworn to via telephone after submission
by reliable electronic means.

Fed. R. Crim. P. 3, 4(d), and 4.1.

this 6th day of July, 2023 at 1:12 p.m.



Jennifer Dowdell Armstrong
United States Magistrate Judge